

असाधारण

EXTRAORDINARY

भाग 2--खण्ड 3---उपल्ल्ड (ii)

PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित

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NEW DELHI, MONDAY, NOVEMBER 21, 1977/KARTIKA 30, 1899

इस भाग में भिन्न पुष्ठ संख्या वी जाती है जिससे कि यह ग्रलग संकलन के रूप में रक्का का सके।

Separate paging is given to this Part in order that it may be filed as a separate compilation

MINISTRY OF CIVIL SUPPLIES AND COOPERATION

ORDER

New Delhi, the 21st November 1977

S.O 780(E).- Whereas the Central Government is of opinion that it is necessary and expedient so to do for maintaining supplies and for securing equitable distribution and availability at fair prices, of pulses, edible oil seeds and edible oils.

Now, therefore, in exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (10 of 1955) the Central Government hereby makes the following Order, namely—

- 1. Short title, extent and commencement.—(1) This Order may be called the Pulses, Edible Oilseeds and Edible Oils (Storage Control) Order, 1977
 - (2) It extends to the whole of India
- (3) Clauses 3 and 5 of this Order shall come into force on the 1st day of December, 1977 and the remaining provisions of this Order shall come into force at once
 - 2 **Definitions**.—In this Order, unless the context otherwise requires,—
 - (a) "bulk consumer" means a hotel, restaurant, hostel, hospital or halwai;
 - (b) "Category Λ City" means a City, included as a Category A City in the Schedule to this Order, having a population of 10 lakhs and more:
 - (c) "Category B City" means a City, included as a Category B City in the Schedule to this Order histographopulation of 3 lakhs and more but less than 10 lakhs on the capital of a State or a Union Territory not included in Category A City,

- (d) "Category C City" means a City, which is not a Category A City or Category B City;
- (e) "commission agent" means a commission agent having in the customary course of business as such agent authority either to sell goods, or to consign goods for the purposes of sale or to buy goods,
- (f) "dealer" means a person engaged in the business of purchase, sale or storage for sale of any pulses, edible oilseeds or edible oils, whether or not in conjunction with any other business and includes his representative or agent.
- (g) "edible oils" means any oil used for cooking for human consumption and includes hydrogenated vegetable oils.
- (h) "population" means population as ascertained at the 1971 Census,
- (i) "primary mandi" in relation to pulses and edible oilseeds means a mandi where the farmers initially sell their produce,
- (j) "producer" means a person carrying on the business of milling any of the pulses or expelling, extracting or manufacturing any edible oil;
- (k) "pulses" means urd, moong, arhar, massoor, lobia, raj-maha, gram including peas or any other dal whether whole or split with or without husk;
- "retailer" means a dealer in pulses or in edible oilseeds or in edible oils, who is not a wholesaler;
- (m) "State Order" means any Order issued by any State Government or a Union Territory Administration under the provisions of the Essential Commodities Act, 1955 (10 of 1955), and for the time being in force;
- (n) "wholesaler" means a dealer in pulses or in edible oilseeds or in edible oils who sells such commodities to other dealers or to bulk consumers.
- 3. Licensing of dealers.—Notwithstanding anything contained in any State Order, after the expiration of a period of fifteen days from the coming into force of this clause, no person shall carry on business as a dealer in pulses or in edible oilseeds or in edible oils except under and in accordance with the terms and conditions of a licence granted under a State Order if the stocks of pulses or edible oilseeds or edible oils in his possession exceed the quantities specified below:—

 - (ii) Edible oils including hydrogenated vegetable 5 quintals for all edible oils including hydrooils.
 5 quintals for all edible oils including hydrogenated vegetable oils taken together.
 - (iii) Edible oilseeds including groundnut in shell 30 quintals of all edible oilseeds.
- 4 Restriction on possession of pulses, edible oilseeds and edible oils.—(1) No dealer shall, after a period of fifteen days from the coming into force of this clause, either by himself or by any person on his behalf, store or have in his possession at any time any pulses, edible oilseeds or edible oils in excess of the quantities specified below:—

	Category of cities	Stock limits in Qtls in the case of :		Remarks
		Wholesaler	Retailer	
(i) Pulses .	Category 'A' cities Category 'B' cities Category 'C' cities	1000 750 500	$ \begin{cases} 50 \\ 40 \\ 30 \end{cases} $	All pulses taken toge- ther
(ii) Edible oilseeds including groundnut in shell	Category 'A' cities Category 'B' cities Category 'C' cities	1500 1000 500	100 } 1 75 } 50 { 1	All edible oil seeds taken together. For groundnut kernel or eed 75% of the limits specified shall apply.
(1 ii) Edible oils including hydrogenated vegetable oils	Category 'A' cities Category 'B' cities Category 'C' cities	800 600 350		ll cdible oils including hydrogenated vegetable oils

Provided that the stock limits specified for a wholesaler in Category A Cities shall apply to a wholesaler in such primary mandis situated in other categories of Cities as the State Government may having regard to the location of such mandis or other relevant factors, from time to time, specify.

Provided further that no producer of pulses, shall store or have in his possession at any time unmilled pulses in excess of one-twelfth of the quantity of pulses used by him in the year ending on the 31st day of October, 1977 and he shall not hold the finished stock, namely, milled pulses, in a quantity exceeding one-twentyfourth of his production in the year ending 31st day of October, 1977.

Provided also that no producer of edible oils, other than mustard oil shall store or have in his possession at any time calible oilseeds in excess of one-eighth of the oilseeds used by him in the year ending on the 31st day of October 1977, and he shall not hold the finished stock of oil in a quantity exceeding one-twelfth of his production during the year ending 31st day of October, 1977.

Provided also that no producer of mustard oil shall store or have in his possession at any time mustard seeds in excess of one-twelfth of the mustard seed used by him in the year ending on the 31st day of October 1977, and he shall not hold the finished stock, namely mustard oil, in a quantity exceeding one-twentyfourth of his production during the year ending 31st day of October, 1977.

Provided also that nothing in this clause shall apply to-

- (a) the storage or possession of edible oilseeds and edible oils imported from abroad,
- (b) to a commission agent who does not retain any consignment of pulses or edible oilseeds received by him for a period exceeding fifteen days from the date of its receipt
- (2) Every dealer referred to in sub-clause (1) shall, immediately on the expiry of the period specified in that sub-clause, give intimation to the Collector regarding the stocks of any pulses, edible oilseeds or edible oils left with him or any other person on his behalf in excess of the stocks prescribed in sub-clause (1) and such stocks shall not be disposed of by the dealer or other person except in accordance with the directions of the Collector
- 5. Returns—Every dealer referred to in clause 3, and every producer who holds in excess of the stock limits of pulses or edible oilseeds or edible oils specified for a retailer in clause 4 shall furnish a fortnightly return to such authority and in such manner as may be specified by the State Governments in this behalf by notification in the Official Gazette in respect of such stocks of pulses, edible oilseeds and edible oils held by him
- 6 State Orders to apply.—The provisions of the State Orders relating to storage of pulses, edible oilseeds or edible oils shall apply in respect of any matter for which no provision has been specifically made in this Order
 - 7 Order not to apply in certain cases.—Nothing in this Order shall apply—
 - (i) to a Corporation or company owned or controlled by the Central Government or a State Government, or
 - (ii) to any Central level or State level cooperative society, engaged in the production, procurement, sales, purchase or distribution of pulses, edible oilseeds and edible oils
- 8. Repeal and saving.—The Pulses and Edible Oils (Storage Control) Order, 1977, is hereby repealed.

Provided that such repeal shall not affect-

- (a) the previous operation of the said Order or anything duly done or suffered thereunder, or
- (b) any right, privilege, obligation or liability acquired, accrued or incurred under the said Order; or
- (c) any penalty, forfeiture or punishment incurred in respect of any offence committed against the said Order, or
- (d) any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment as aforesaid,

and any such investigation, legal proceeding or remedy may be instituted, continued or enforced and any such penalty, forfeiture, or punishment, may be imposed as if the said Order had not been repealed

SCHEDULE

[See Clause 2(b) and (c)]

Category 'A' crities	Category 'B' enter (Having a population of 3,00,000 and more but less than 10,00,000 and capital cities of States and Union Territories other than Category 'A' cities		
(Having a population of 10,00,000 & above)			
ı Calcutta	ı Nagpur		
2. Greater Bombay	2. Coimbatore		
3. Delhi	3. Madurai		
4. Hyderabad	4 Λgra		
5. Madras	5. Varanası		
6 Bangalore	6 Indore		
7. Ahmedabad	7. Jabalpur		
8. Kanpur	8. Allahabad		
9. Poona	9 Surat		
·	10. Vadodara		
	11. Tıruchuapallı		
	12 Amutsar		
	13. Jamshedpur		
	14 Cochin		
	15 Dhanbad		
	16. Salum		
	17. Gwahor		
	18. Ludhiana		
	19 Sholapur		
	20. Ulhasnagar		
	21 Hubh-Dharwar		
	22 Meerut		
	23 Visakhapatnam		
	24 Mysore		
	25. Vijavowada		
	26. Cahcut		
	27 Barcilly		
	28 Jodhpur		
	29 Rajkot		
	30. The Capital cites of States and Union Territories other than Category 'A' citics.		

[No. 26(16)/77-ECR]

T BALAKRISHNAN, Jt. Secy.

महा प्रबन्धक, भारत सरकार मुझणालय, मिन्टो रोष्ट, नर्ड दिल्ली द्वारा मुद्रित तथा नियंत्रक, प्रकाशन विभाग, दिल्ली द्वारा प्रकाशिन 1977

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